

## **REMARKS**

### **I. Introduction**

With the cancellation without prejudice of claim 100, claims 44, 47, 50 to 99, and 102 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Allowable Subject Matter**

Applicants note with appreciation the allowance of claims 44, 47 and 50 to 98.

### **III. Rejection of Claim 102 Under 35 U.S.C. § 112, 2nd ¶**

Regarding the rejection of claim 102 under 35 U.S.C. § 112, second paragraph as allegedly indefinite, although Applicants do not necessarily agree with the merits of the rejection, to facilitate matters, claim 102 has been amended without prejudice, inter alia, to delete the term “a spiroid gear stage,” thereby obviating the rejection. Accordingly, withdrawal of this rejection is respectfully requested.

### **IV. Rejection of Claims 99, 100 and 102 Under 35 U.S.C. § 102(b)**

Claims 99, 100 and 102 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,164,407 (“Cheng”). It is respectfully submitted that Cheng does not anticipate these claims for at least the following reasons.

Although Applicants do not necessarily agree with the merits of the rejection, to facilitate matters, claim 99 has been amended without prejudice to incorporate certain features of claim 100, claim 100 has been canceled without prejudice and claim 102 has been amended to conform to the changes made to claim 99. Claim 99 as amended recites, in relevant part, that **the spiroid gear stage includes a wheel and a pinion engaging with the wheel**, that **the wheel includes gear teeth on a front side**, and that **the pinion has a cylindrical contour at an outer periphery**. Support for these amendments may be found, for example, on page 25, lines 8 to 12 of the Specification, as well as in Figure 6.

Cheng does not disclose, or even suggest that a pinion of a spiroid gear stage has a cylindrical contour at an outer periphery. As is apparent from

Figures 3 and 3A and column 3, lines 21 to 26 of Cheng, the second meshing gear (56) of spiroid gear set (60) is not cylindrical on its outer periphery, but tapered. In addition, although the gear set (150) shown in Figure 10 of Cheng includes a face gear (152) and a cylindrical pinion gear (154), as indicated in column 5, lines 9 to 17, gear set (150) is not a spiroid gear set. Accordingly, it is respectfully submitted that Cheng does not anticipate claim 99 or dependent claim 102 for at least these reasons.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

**V. Conclusion**

In light of the foregoing, Applicants respectfully submit that all pending, claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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